



Speech by

**Barbara Stone**

**MEMBER FOR SPRINGWOOD**

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## **SUSTAINABLE PLANNING BILL**

**Ms STONE** (Springwood—ALP) (8.11 pm): This bill introduces a vastly improved system through a number of initiatives that will simplify the integrated development assessment system—IDAS, as it is known—process and shift the focus of development assessment from processes to achieving sustainable outcomes. These initiatives include a simpler application stage, providing an easier process for changing applications and approvals, modifications to lapsing provisions and new provisions to deal with missed referrals.

Feedback from stakeholders as part of the Integrated Planning Act review indicated that a key concern with the practical application of IDAS was that the system was focused on process and time frames rather than good development outcomes. I had many representations from developers, from workers in the building industry and from the BLF on these matters. The more these applications were held up in backlogs the less work for workers in the building industry—less work for BLF members—and it was having a major impact on the financial situation of developers. So I am very pleased that as a government we have listened to their concerns and have acted upon their wishes.

The bill responds to these concerns by modifying key stages in the process to minimise applications being unnecessarily caught up in the process and to enable the focus of the assessment process to be directed to the delivery of good planning outcomes. That is where this bill is balanced. It is not just all about developers. It is not just all about development applications by councils and what they think we need. The bill provides a good balance for good outcomes.

The new provisions also clarify and simplify processes for changing applications, as well as allow for greater flexibility in changing applications by specifying a broader category of minor changes which can be made without having to stop the IDAS clock. Once again, this was raised with me several times. So I am very pleased that we have listened and we are acting on this.

The bill also provides for changes to be made to an application in response to submissions without significantly delaying the IDAS process and a single process for making all other changes. Under the current IPA, generally if an application is changed the IDAS process stops and the application is required to return to the start of the IDAS process—that is, the start of the acknowledgement period. This bill puts in place a new process for changing applications that identifies different categories of changes and clearly specifies their effects on IDAS. For example, the IDAS process will not stop for a minor change to an application. Over and over again I have heard from people who put in building applications about the minor changes that they need to make and how long they have to wait for anything to happen. I know that this will certainly be welcomed by the industry.

In particular, the bill clarifies the types of changes that can be made and the effect of each of these changes on the IDAS process and, importantly, aims to avoid disincentives for responding to submissions and information requests. These may appear to be small procedural changes, but improved applications and better planning outcomes should result, with communities the ultimate beneficiaries.

The bill also reflects a consolidated, simplified and flexible process for changing development approvals and conditions which applies for changing conditions and other aspects of an approval, clearly defines the types of changes which can be made to an approval and sets out clearly the process for making changes, including the responsible entity for deciding a request for change. Currently, separate processes exist for changing a development approval and changing a condition of an approval. The bill consolidates these processes to provide a single process for all changes to approvals. The new process clarifies who is responsible for deciding the request for change. This clarification will certainly smooth the process and make it much more timely.

The overall effect of these changes will be to facilitate changes to a broader range of development approvals without turning back the IDAS clock where the change will not alter the substance of the original development approval. This will avoid any unnecessary duplication in the earlier stages of the application process.

Another way the bill will remove the focus on process to achieving outcomes is by modifying the provisions relating to lapsing of development applications due to inaction by applicants. The changes will ensure applications are not unnecessarily delayed in stages of the IDAS process and that the subject of the application does not become stale and inconsistent with emerging conditions in the planning scheme area. The bill modifies the current arrangements by relocating provisions for lapsing of development applications to correspond with the appropriate stage of the IDAS process and refining the time frames within which applicants are required to undertake these actions. That is a really important change.

The key change includes reducing the period for applicants to provide certain material to a referral agency from three months to 20 business days after the assessment manager gives the acknowledgement to the applicant and reducing the period for an applicant to respond to an information request from 12 months to six months after the applicant receives the request. That issue was raised with me on many occasions—that is, that the information request always took so long. That situation assisted with maintaining the backlog in the Logan City Council.

The purpose of the lapsing provisions is to ensure that the applicant undertakes required actions under IDAS in order to minimise unnecessary delays. However, this needs to be balanced with minimising the occurrence of 'accidental' lapses due to minor administrative oversights. Applications should only lapse when the inaction affects the proper and timely assessment of the application. This bill provides for the balance by retaining the provisions relating to automatic lapsing of applications. But it also affords applicants a greater opportunity to apply for an extension of these time frames and enable the assessment manager to 'revive' the application within a reasonable time frame if the lapsing is due to a minor administrative oversight. To complement this, the bill also provides a default lapsing period of five years for preliminary approvals that affect a planning scheme. This aims to ensure that preliminary approvals do not become entrenched over time and inconsistent with emergent social, environmental or economic issues.

In the case of missed referrals, the bill also allows a missed referral agency to exercise its referral agency powers without significantly delaying the progress of development applications through IDAS. Currently, a change to an application to include a missed referral would require the IDAS process to stop and start again from the start of the acknowledgement period. The provisions in this bill include a simpler process for 'picking up' a missed referral to prevent the entire application being required to return to an earlier stage of the process. However, this will not affect the quality of the assessment, as the application cannot be decided by the assessment manager until the missed referral agency has had the opportunity to assess the application. This is another way the bill avoids duplication of processes and unnecessary administrative procedures to ensure that the application is assessed using a performance based rather than a prescriptive approach. While these changes are procedural in nature, they combine to offer a more outcomes focused and streamlined system. That is something I heard over and over again from the building industry, from developers and from the BLF. All users of the system will benefit and the community will be the ultimate beneficiary.

I have heard other members talk about their electorates. I hope that in the future we see Logan City develop with a wide range of housing choices. Not everyone wants to live on acreage, not everyone wants a small apartment, not everyone wants a small allotment or a house in a secure estate. People want a choice of housing for a variety of reasons. It is usually to do with the stage of life that they are in. I hope that Logan City develops with a variety of housing choices to meet people's needs.

My electorate has quite a number of estates now with by-laws that do not allow dogs in the estate. They have koala-friendly fencing. I believe these by-laws are very necessary and I support them 100 per cent. I think that, as we look at new areas developing, we should look at their unique features and see what other by-laws can be put onto those estates to make sure those unique features are not lost.

With regard to infrastructure planning, I want to raise the M1. Hopefully in October, weather permitting, we will see construction start on the upgrade of the Winnetts Road overpass, which is the No. 1 priority upgrade of the M1. I cannot wait for that to start and neither can the community. We certainly need

that done now. After that, I just want to put on record that I hope we will have the funding and planning finalised for the next section from Eight Mile Plains through to Springwood. That is the next priority section. I want to bring to the attention of the ministers that we need to secure that funding and that planning now so that we will be ready to start after that priority No. 1 section is finished. With that, I commend the bill to the House.